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10 Attorneys for Defendants

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13
14 KEN KACHUR,

15 Plaintiff,

16 vs.

17 NAV-LVH, LLC dba WESTGATE LAS
18 VEGAS RESORT & CASINO, a Nevada,
19 Limited Liability Company,

20 Defendant.

Case No.: 2:16-cv-02899

**STIPULATION AND REQUEST TO
EXTEND DISCOVERY AND OTHER
DEADLINES
(THIRD REQUEST)**

21 Pursuant to Local Civil Rule 6-1(a), Defendant NAV-LVH LLC dba Westgate Las Vegas
22 Resort & Casino ("Defendant") and Plaintiff Ken Kachur ("Plaintiff"), by and through their
23 respective counsel of record, hereby stipulate as follows:

24 This request is being made timely in accordance with LR 26-4 and the prior scheduling
25 Order, which provides that requests for further discovery extensions must be made no later than
26 twenty-one (21) days before the existing discovery cut-off date, or, here, by February 12, 2018.
27 This is the third request for an extension.
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1 This stipulation is made and based upon the following factors.

2 To date, the parties have both made their initial disclosures to the other side. Defendant
3 has propounded written discovery to Plaintiff, to which Plaintiff has responded. Plaintiff has also
4 propounded written discovery to Defendant, which is outstanding but timely. In addition, the
5 parties have conducted some depositions and are in the process of locating a number of witnesses
6 who have moved or left the state. For example, a key witness has moved to California and it has
7 been difficult to coordinate a suitable date. Further, counsel for both parties have other cases
8 before this Court, which involve overlapping witnesses to some extent and, thus, the attorneys are
9 coordinating the scheduling of the depositions in such cases to minimize the burden on the
10 witnesses and travel for out-of-state counsel. Lastly, because of the nature of this case, a
11 deposition of Plaintiff's doctor is required and the scheduling of this deposition has been
12 hampered as a result of the holiday season and the doctor's busy schedule.

13 The parties and their attorneys have diligently worked to complete discovery as
14 expediently as possible and will continue to try to complete the remaining discovery in as
15 expedient a manner as possible.

16 Given the above circumstances, the parties request that the discovery period be extended as
17 follows:

19 <u>Activity</u>	<u>Former Date</u>	<u>Requested Date</u>
20 Discovery Cut-Off Date	03/05/18	06/04/18
21 Dispositive Motions	04/03/18	07/02/18
22 Pretrial Order	05/07/18	08/06/18 ¹

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¹ Or 30 days after the decision on the last dispositive motion.

1 In accordance with LR 26-4 the parties understand that any further requests for discovery
2 extensions must be made no later than twenty-one (21) days before the newly-proposed discovery
3 cut-off date of June 4, 2018, or no later than twenty-one (21) days before any other deadline
4 sought to be extended.

5 DATED this 16th of January, 2018.

6
7 Law Offices of Michael P. Balaban

Greenspoon Marder LLP

8 */s/ Michael P. Balaban*

/s/ Phillip A. Silvestri

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21 Attorneys for Defendant

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23 IT IS SO ORDERED.

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25 DATED: January 17, 2018

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28 C.W. HOFFMAN, JR.
UNITED STATES MAGISTRATE JUDGE